

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JOHN PRIDGEN,

Plaintiff,

v.

V. PAREZ, et al.,

Defendants.

Case No. 2:12-cv-01354-MMD-PAL

ORDER ADOPTING REPORT AND  
RECOMMENDATION (dkt. no. 6)

Before the Court is the Report and Recommendation of the Honorable Peggy A. Leen, United States Magistrate Judge, entered January 22, 2013. (Dkt. no. 6.)

The Court previously denied Plaintiff's Application to Proceed *in Forma Pauperis* because it could not determine whether Plaintiff was a patient or inmate at Northern Nevada Hills Mental Health Services. (Dkt. no. 2.) Plaintiff was directed to clearly state whether or not he was incarcerated in any second application. Plaintiff filed a second application, but again did not state whether or not he is incarcerated. He submitted the form application for individuals who are not incarcerated. The application, however, states that Plaintiff is incarcerated at 500 Galetti Way, Sparks, Nevada, the address for the Northern Nevada Hills Mental Health Services. Moreover, Plaintiff did not provide the required financial affidavit or statements from any inmate trust accounts as the Court asked for in its previous order. The Magistrate Judge accordingly recommends that Plaintiff's Application to Proceed *in Forma Pauperis* be denied with prejudice, as it is impossible for the Court to determine whether Plaintiff is eligible to proceed *in forma*


1 *pauperis*.<sup>1</sup> The Magistrate Judge also recommends dismissing Plaintiff's Complaint.  
2 (Dkt. no. 6.)

3 Plaintiff did not file an objection to the Magistrate Judge's Report and  
4 Recommendation, but instead filed an Amended Complaint (dkt. no. 7).

5 The Court has conducted a *de novo* review of the record in this case in  
6 accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 3-2, and determines that  
7 Magistrate Judge Leen's Report and Recommendation (dkt. no. 6) should be  
8 ACCEPTED.

9 IT IS THEREFORE ORDERED Plaintiff's Application to Proceed *in Forma*  
10 *Pauperis* (dkt. no. 4) is DENIED WITH PREJUDICE. This action is dismissed. The Clerk  
11 of the Court is HEREBY ORDERED to close the case.

12 ENTERED this 26<sup>th</sup> day of February 2013.

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15 MIRANDA M. DU  
16 UNITED STATES DISTRICT JUDGE  
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27 <sup>1</sup>In addition, Plaintiff has not appraised the Court of his new address pursuant to  
28 Local Special Rule 2-2. The Report and Recommendation was returned as  
undeliverable. (Dkt. no. 8.)